

REMARKS

This amendment is in response to the Official Action dated June 26, 2008. Claims 1 and 11 have been amended, and claim 4 has been cancelled; as such claims 1-3, 5-7, 9-12, and 15-17 are now pending in this application. Claims 1 and 11 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks.

No new matter has been added by this Amendment. Support for the amended claims can be found in the specification as filed. The amendments better identify the roles of the two management apparatuses in the claims.

Rejections under 35 U.S.C. § 112

Claims 1-7, 9-12, and 15-17 have been rejected under 35 U.S.C. § 112, 2nd paragraph for being indefinite. In particular, the Office Action indicates that the terms “real world” and “virtual world” are not sufficiently explained.

Claims 1 and 11 have been modified to provide a better explanation of the terms “real world” and “virtual world.” For example, claim 1 now recites “*the virtual transaction being a transaction conducted between the first management apparatus and a user terminal, located at a remote location, without a point-of-sale terminal via a network.*” Claim 1 also recites “*the real world transaction being a transaction conducted between the second management apparatus and the user via a point-of-sale terminal.*” These amendments address and overcome the rejections set forth in the Office Action.

Claim 4 has also been rejected for failing to limit the subject matter of claim 1. By this amendment, claim 4 is now cancelled.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 112 be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-7, 9-12, and 15-17 have been rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 6,594,640 to Postrel et al ("Postrel"), in view of Wallstreet Journal Article "Takeoffs & Landings" by Danielle Reed et al. ("Reed"), and further in view of U.S. Patent No. 6,549,912 to Chen ("Chen").

Postrel discloses a privilege point exchange portal. The trading server 20 disclosed in Postrel acts as a central bartering point between various rewards program servers 10, 12, 14, allowing a user to sell and repurchase rewards points from the various rewards programs (col. 5, ll. 39-43, 63-66). Postrel does not disclose performing settlement processing using an IC card. Moreover, Postrel does not disclose performing settlement processing using a user identifier and a price. Finally, the disclosed bartering mechanism is not automatic, in that points are not automatically converted to a given type of point.

Reed is an article discussing the trend of letting frequent travelers convert hotel guest points to frequent-flier miles. For example, 50k Hotel Honors points could be converted to 10k frequent-flier miles.

Chen discloses a smart card that provides a loyalty file structure. In Chen, various loyalty file information (e.g., password, file number, label, etc.) is associated with each loyalty file and stored in the smart card.

As amended, claim 1 recites:

A communication system comprising:

a first management apparatus for managing and settling a first transaction and generating a first privilege information generated in accordance with the first transaction, the first transaction being a virtual transaction, the virtual transaction being a transaction conducted between the first management apparatus and a user terminal, located at a remote location, without a point-of-sale terminal via a network using a user identifier that identifies the user in such a manner that the first privilege information and the user identifier are correlated with each other,

wherein the user identifier is stored in an IC card and uniquely associates the user to the IC card, and the first transaction is made using the IC card in conjunction with the user terminal; and

a second management apparatus for managing and settling a second transaction and generating a second privilege information that is generated in accordance with the second

transaction, the second transaction being a real world transaction, the real world transaction being a transaction conducted between the second management apparatus and the user via a point-of-sale terminal, and using the user identifier in such a manner that the second privilege information and the user identifier are correlated with each other,
wherein the second transaction includes a settlement processing based on the user identifier and a price, and is also made using the IC card in conjunction with the point-of-sale terminal, and
wherein the second management apparatus converts the first privilege information that is managed by the first management apparatus into privilege information managed by the second management apparatus according to a prescribed conversion factor, and manages the privilege information obtained by the result of the conversion, such that the first privilege information is automatically converted to the second privilege information and added to a total of the second privilege information for the user when the user conducts transactions in the virtual world using the IC card.

With respect to claim 1, Applicant submits that neither Postrel, Reed, nor Chen teach or suggest *“the first privilege information is automatically converted to the second privilege information and added to a total of the second privilege information for the user when the user conducts transactions in the virtual world using the IC card.”*

In Postrel, a user must manually transacts to sell and repurchase rewards points between different rewards programs by actively engaging in transactions. Postrel does not teach or suggest a system that automatically consolidates rewards points from transactions settled by management apparatuses.

By contrast, claim 1 recites *“the first privilege information is automatically converted to the second privilege information.”* None of the cited references disclose such automatic converting system.

Furthermore, the present claims distinguish points earned via virtual world transactions and real world transactions. The Office Action does not identify, nor do any of the references teach or suggest, *a first privilege information associated with virtual world transactions from a second privilege information associated with real world transactions*. As amended, the claims clearly distinguish *virtual transaction[s] ... transaction conducted between the first management apparatus and a user terminal, located at a remote location, without a point-of-sale terminal via a network,* from *“the real world transaction[s] ... transaction[s] conducted between the second management apparatus and the user via a point-of-sale terminal.”*

While Postrel distinguishes between points earned via different vendors, Postrel does not distinguish virtual transactions (performed without a point-of-sale terminal) from real world transactions (performed with a point-of-sale terminal).

Reed does not remedy the deficiencies of Postrel. Reed converts rewards points between different rewards programs. However, the conversion is not automatic. Like Postrel the conversion between rewards programs is an intentional conversion. Until the user interacts with the system, each type of reward point remains independent of the others. Like Postrel, Reed requires there to be some kind of broker device or user action to intentionally convert the points from one type to another. By contract, the present claims recite automatic conversion.

Furthermore, the present claims distinguish points earned via virtual world transactions and real world transactions. This distinction is not recited in Reed.

Chen does not remedy the deficiencies of Postrel. As set forth above, Chen discloses a smart card that provides a loyalty file structure. In Chen, various loyalty file information (*e.g.*, password, file number, label, etc.) is associated with each loyalty file and stored in the smart card. As with Postrel, there is no disclosure or suggestion that “*the second transaction includes a settlement processing based on the user identifier and a price,*” as recited in independent claim 1. In fact, there is no mention whatsoever of any type of conversion of the loyalty file information to price.

Since, whether taken alone or in any combination, the references fail to disclose features recited in independent claim 1, a *prima facie* case of obviousness for that claim has not been established.

For reasons similar to those provided regarding claim 1, independent claim 11 is also neither disclosed nor suggested by the relied upon references. The dependent claims are also distinct from the relied upon references, for their incorporation of the features recited in the respective independent claims, as well as the patentably distinct features separately recited therein.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) as being unpatentable over Postrel in view of Chen, in further view of Davis.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-2200 from which the undersigned is authorized to draw.

Dated: August 27, 2008

Respectfully submitted,

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